

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DAVID C. TRAUB, RICHARD O.
CABAEI, WILLIAM R. SOTKA,
ERN ANDREW GREGORIO,
GLORIA GISELDA N. ARROYO,
WINELDA C. YCOY, SIMON U.
CABAEI, and CHRISTOPHER R.
ASIS,

Plaintiffs,

v.

STARDUST389, INC.,
AIRLOCK389, INC.,
CHRISTOPHER H. COOPER and
PATRICIA ANN BELLASALMA,

Defendants,

Case No. 1:22-cv-01582-CFC

**DECLARATION OF ALICE L. KESSLER IN SUPPORT OF GREENBERG
TRAURIG'S MOTION TO WITHDRAW FROM REPRESENTATION**

I, Alice L. Kessler, declare as follows:

1. I am a Shareholder at Greenberg Traurig, LLP (GT) based in the firm's Sacramento, California office and practicing in the firm's Government Law & Policy group. In late 2021, I was introduced to Patricia Bellasalma and Christopher Cooper, officers of Stardust389, Inc. and Airlock389, Inc., through a longtime professional contact and investor in the companies, Shannon Smith-Crowley. Bellasalma and Cooper were seeking an attorney referral to represent them and the corporate entities in an employment lawsuit filed in the Northern District of California on December 16th, 2021 (see Exhibit 1 – Complaint). I introduced them to attorneys in GT's Northern California Labor & Employment practice group for possible representation.
2. I have personal knowledge of all facts stated in this declaration, and if called to testify, I could and would testify competently thereto.
3. On December 20, 2021, the Defendants did retain Greenberg Traurig to represent them in this matter.
4. On January 18, 2021, GT filed a Motion to Dismiss, in part relying on a Delaware choice-of-law provision in the agreement between Plaintiffs and Defendants at issue in this action (see Exhibit 2 – Defendants' Motion to Dismiss).
5. All parties did, in fact, consent to the jurisdiction of this court on October 16, 2023 (see Exhibit 3 – Consent to Magistrate Judge).
6. In May of 2023, I was contacted by Christopher Cooper, the Chief Executive Officer of Stardust389, Inc. and Airlock 389, Inc. He stated his relationship with Bellasalma, COO and General Counsel, had broken down and his intention to

separate her employment from the companies. He asked for guidance on how to proceed with respect to this litigation.

7. At that time, Stardust had outstanding unpaid fees owed to GT of nearly \$100,000, with significant work ahead in the case. Cooper agreed to make installments toward the amount owed and did, in fact, make installment payments totaling \$11,000 in May and July of 2023.
8. Then, on June 29, 2023 Cooper contacted me to share a notice of removal as CEO from other Directors of the companies and a demand to cease and desist any activities on behalf of the companies. Cooper stated he would no longer be able to make any payments on fees for work performed by GT (see Exhibit 4 – Notice of Removal).
9. I sent a memorandum to all Defendants on August 11, 2023 (see Exhibit 5 – Request for Teleconference) requesting a teleconference with GT counsel to determine whether we could keep the parties' interests aligned in order to continue defending against the suit.
10. While Bellasalma agreed to this meeting, Cooper stated he would not participate due to concerns that legal action might be taken against him pursuant to the Notice of Removal.
11. On October 16, 2023, we informed the Defendants and Plaintiffs' counsel of our intention to move to withdraw from the case due to the controversy between the Defendants with respect to control of the corporate entities and its debts.
12. At this time, Plaintiff's counsel asked for fulsome contact information for all parties, which was provided. Further, counsel asked for Defendants' physical

foreign addresses where they could receive correspondence, which were also provided (see Exhibits 6-8 – Emails to Plaintiff’s Counsel).

13. At all times, both Cooper and Bellasalma have been responsive to email and phone communication with GT.
14. All parties were served with GT’s Motion to Withdraw on October 17, 2023 by email and certified mail to last known addresses.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on November 7, 2023.

A handwritten signature in blue ink, appearing to be 'Alice L. Kessler', written over a light blue circular stamp.

Signature:

Printed name: Alice L. Kessler

Address: 400 Capitol Mall, Suite 2400, Sacramento, CA 95814

Phone Number: (916) 868-0605